

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicants regard as the invention.

Claim 7 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claim 7 has been amended to overcome the rejection.

Claims 1, 10 and 16 have been amended to more clearly and particularly describe the subject matter which applicants regard as the invention.

Claims 18 and 19 have been amended to correct inadvertent clerical errors.

Claims 10-13 and 15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Tyneski et al. (US Patent No. 5,584,054, hereinafter "Tyneski"). For at least the following reasons, the rejection should be withdrawn. Tyneski does not describe each and every feature as required in the claimed invention.

Claim 10 has been amended to recite that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing. The amendment is supported by the original application, for example, on page 22, lines 10-22 and Fig. 3(B). Tyneski does not disclose that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing, as required in amended claim 10. In Tyneski, a personal organizer is not specifically designed to be used on a horizontal

surface, such as desks, and therefore a hinge portion is not designed to be protruded from the outer surface of the first housing (See abstract and Figs. 1 and 2 of Tyneski). Contrary to the teaching of Tyneski, in the claimed invention, when the second housing is opened around the first hinge part of the first housing, the side part of the second housing is protruded from the outside and raise up the side part of the first housing (see page 22, lines 10-19 of the specification). Tyneski does not disclose that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing, as required in amended claim 10. Thus, Tyneski does not anticipate claim 10. Claims 11-15 depend on claim 10, and thus are patentable for at lease the same reasons as the parent claim.

Claims 16 and 17 stand rejected under 35 U.S.C. 102(e) as being anticipated by Constien (US Patent No. 6,259,932). For at least the following reasons, the rejection should be withdrawn. Constien does not describe each and every feature, as required in the claimed invention.

Claim 16 has been amended to recite that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing. The amendment is supported by the original application, for example, on page 22, lines 10-22 and Fig. 3(B). Constien does not disclose that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing, as required in amended claim 16. In Constien, a first housing and a second housing may be simply opened around a hinge;

however, a side edge of the second housing does not protrude from the outer surface of the first housing, as required in amended claim 16. Thus, Constien does not anticipate claim 16. With regard to claim 17, Constien does not disclose that a dent is formed on an inner surface of the first housing and a first operation section for a function as an information terminal is provided on the dent; wherein both of an inner surface and an outer surface of the second housing almost commensurate an area of the dent of the first housing, a first display section for a function as a phone and the function as an information terminal is provided on the inner surface of the second housing, and both of a second operation section for the function as a phone and a second display section for the function as a phone are provided on the outer surface of the second housing, as required in claim 17. The Examiner contends that Constien shows the keyboard, element number 14, as dent on an inner surface of the first housing. Applicants respectfully disagree. The dent in the claimed invention is formed on an inner surface to help users to easily open the first and second housings. This dent is especially helpful for users when the upper and lower housings are substantially equal in size or a spring for self-closing, for example, is incorporated into the hinge section (see page 4, line 10-page 5, line 8 of the specification). The keyboard 14 of Constien does not have such function, and therefore Constien does not disclose such dent not only on its inner surface but anywhere in the portable device. Thus, Constien does not anticipate claim 17.

Claims 1-7 and 18-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Constien in view of Rabe (U.S. Patent No. 5,832,079). For at least the following reasons, the rejection should be withdrawn. Constien and Rabe, independently or in combination, do not teach or suggest all features of the claimed invention.

Claim 1 has been amended to recite that the second hinge part has a flat face and

the flat face of the second hinge part is flush with the inner surface of the first housing when the first housing is opened with respect to the second housing. The amendment is supported by the original application, for example, on page 16, lines 15-18, page 30, lines 9-12 and Fig. 4. Constien does not teach or suggest that the second hinge part has a flat face and the flat face of the second hinge part is flush with the inner surface of the first housing when the first housing is opened with respect to the second housing, as required in amended claim. Also as the Examiner concedes in the Office action, Constien does not disclose details of hinge section. Rabe does not cure the aforementioned Constien's deficiencies. Rabe discloses a portable information terminal that connects two housings with a hinge section but, contrary to the requirements of claim 1, does not disclose that the second hinge part has a flat face and the flat face of the second hinge part is flush with the inner surface of the first housing when the first housing is opened with respect to the second housing. In the claimed invention, the hinge section is shaped to be flat so that the hinge section itself is not bulged out beyond the inner surface of the lower housing (see , for example, page 16, lines 15-18 of the specification). That is, the asserted combination of Constien and Rabe fails to teach or suggest all features of the claims. Hence, the rejection should be withdrawn. Claims 2-7 directly or indirectly depend on claim 1, and thus are also patentable for at least the same reasons as the parent claim.

With regard to claims 18 and 19, Constien does not teach or suggest that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing, as recited in claims 18-19. Also as the Examiner concedes in the Office action, Constien does not disclose details of hinge section. Rabe does not cure the aforementioned Constien's deficiencies. Rabe discloses

a portable information terminal that connects two housings with a hinge section but does not disclose that a side edge of the flip is protruded from the outer surface of the first housing. To the contrary, in the claimed invention, when the second housing is opened around the first hinge part of the first housing, the side part of the second housing is protruded from the outside and raise up the side part of the first housing (see page 22, lines 10-19 of the specification). That is, the asserted combination of Constien and Rabe fails to teach or suggest all features of the claims. Hence, the rejection should be withdrawn.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Constien and Rabe further in view of Boesen (US Patent No. 6,892,082) For at least the following reasons, the Examiner's rejection is respectfully traversed. The asserted combination of Constien, Rabe and Boesen, independently or in combination, does not teach or suggest all features of the claimed invention.

As mentioned above, Constien does not teach or suggest that the second hinge part has a flat face and the flat face of the second hinge part is flush with the inner surface of the first housing when the first housing is opened with respect to the second housing, as recited in claim 1 on which claim 8 depends. Rabe and Boesen fail to cure the aforementioned Constien's deficiencies. Thus, the asserted combination of Constien, Rabe and Boesen fails to teach or suggest all features of the claims. Moreover, as the Examiner concedes in the Office Action, neither Constien nor Rabe discloses an insertion hole for a strap. The Examiner asserts that Boesen teaches an insertion hole in Figure 3 (column 3, lines 44-48). However, Boesen's Figure 3 shows only a clip 20 to attach the personal electronic device to a belt or pocket (see column 3, lines 46-48 of Boesen). Contrary to the teaching of Boesen, the insertion hole of the claimed invention is to put

a strap through and it is different from the clip of Boesen. Thus, the asserted combination of Constien, Rabe and Boesen does not render claim 8 obvious. Hence, the rejection should be withdrawn.

Claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Constien and Rabe further in view of Terbrack (US Patent No. 6,892,082) For at least the following reasons, the Examiner's rejection is respectfully traversed. The asserted combination of Constien, Rabe and Terbrack does not teach or suggest all features of the claimed invention.

As mentioned above, Constien does not teach or suggest that the second hinge part has a flat face and the flat face of the second hinge part is flush with the inner surface of the first housing when the first housing is opened with respect to the second housing, as recited in claim 1, as recited in claim 1 on which claim 9 depends. Rabe and Terbrack, independently or in combination, fail to cure the aforementioned Constien's deficiencies. Thus, the asserted combination of Constien, Rabe and Terbrack does not render claim 9 obvious. Hence, the rejection should be withdrawn.

Claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tyneski in view of Constien. For at least the following reasons, the Examiner's rejection is respectfully traversed. The asserted combination of Tyneski and Constien does not teach or suggest all features of the claimed invention.

As mentioned above, neither Tyneski nor Constien does not teach or suggest that when a second housing is opened toward a first housing by turning the second housing around a hinge section, a side edge of the second housing, which is closer to the hinge section, is protruded from the outer surface of the first housing, as recited in amended claim 10 on which claim 14 depends. That is, the asserted combination of Tyneski and Constien fails to teach or suggest all features of the claims. Thus, the combination of


Tyneski and Constien does not render claim 14 obvious. Hence, the rejection should be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36081.

Respectfully submitted,

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